

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 12, 2015

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Cameron, and Mortimer, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Kayla Christensen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 11, 2015, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 12, 2015

The JUDICIARY AND RULES Committee reports that [SCR 118](#), [S 1144](#), [S 1145](#), [S 1146](#), and [S 1147](#) have been correctly printed.

LODGE, Chairman

[SCR 118](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1144](#) and [S 1145](#) were referred to the Finance Committee.

[S 1146](#) was referred to the State Affairs Committee.

[S 1147](#) was referred to the Local Government and Taxation Committee.

March 11, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1020](#), [S 1036](#), [S 1042](#), [S 1043](#), [S 1079](#), and [S 1081](#) were delivered to the Office of the Governor at 11:30 a.m., March 11, 2015.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 11, 2015

The FINANCE Committee reports out [S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), and [S 1143](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1138](#), [S 1139](#), [S 1140](#), [S 1141](#), [S 1142](#), and [S 1143](#) were filed for second reading.

March 11, 2015

The STATE AFFAIRS Committee reports out [H 90](#) and [H 91](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 90](#) and [H 91](#) were filed for second reading.

March 11, 2015

The RESOURCES AND ENVIRONMENT Committee reports out [HJM 5](#) and [HJM 7](#) with the recommendation that they do pass.

BAIR, Chairman

[HJM 5](#) and [HJM 7](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2015

The HEALTH AND WELFARE Committee reports out [H 107](#), [H 153](#), [HCR 9](#), and [HCR 11](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 107](#) and [H 153](#) were filed for second reading.

[HCR 9](#) and [HCR 11](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 11, 2015

The EDUCATION Committee reports out [H 126](#) and [H 190](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 126](#) and [H 190](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 11, 2015

Dear Mr. President:

I transmit herewith [H 212](#), [H 213](#), and [H 202](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 212](#), [H 213](#), and [H 202](#) were filed for first reading.

March 11, 2015

Dear Mr. President:

I return herewith [S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1034](#), [S 1051](#), [S 1052](#), [S 1007](#), [S 1008](#), [S 1010](#), [S 1023](#), [S 1057](#), [S 1058](#), and [S 1099](#) were referred to the Judiciary and Rules Committee for enrolling.

March 11, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 33](#), [H 48](#), [H 49](#), [H 50](#), [H 68](#), [H 82](#), [H 110](#), [H 122](#), and [H 133](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 33](#), [H 48](#), [H 49](#), [H 50](#), [H 68](#), [H 82](#), [H 110](#), [H 122](#), and [H 133](#) and ordered them returned to the House.

March 11, 2015

Dear Mr. President:

I return herewith Enrolled [S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1037](#), [S 1031](#), [S 1045](#), [S 1015](#), as amended, [S 1016](#), [S 1024](#), [S 1050](#), [S 1006](#), and [S 1009](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1148

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE COMMISSION ON HISPANIC AFFAIRS FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

S 1149

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO IDAHO PUBLIC TELEVISION FOR FISCAL YEAR 2016; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

[S 1148](#) and [S 1149](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 212](#) and [H 213](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 202](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 218](#), [H 223](#), [H 224](#), [H 225](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), and [H 232](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[H 178](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 156](#), by Local Government Committee, was read the second time at length and filed for third reading.

[H 30](#), by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

[H 46](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 78](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 81](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1067](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1092](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

[S 1112](#), by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

Senators Cameron and Mortimer were recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1041](#), [S 1053](#), [H 17](#), [S 1095](#), [S 1096](#), [H 15](#), as amended in the Senate, [H 142](#), and [S 1062](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1041

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 14, following "senate." insert: "Present members shall continue to serve for the balance of their initial terms of appointment. Thereafter, any member appointed or reappointed shall serve for a term of three (3) years."; delete lines 18 through 22, and insert:

"(2) The terms of the members shall expire as follows: three (3) members on January 1, 2014; three (3) members on January 1, 2015; and three (3) members on January 1, 2016."

~~Thereafter, any person appointed a member of the board shall hold office for three (3) years.~~";
in line 23, delete "3" and insert: "32"; and in line 26, delete "4" and insert: "43".

On page 2, in line 10, delete "5" and insert: "54"; in line 14, delete "6" and insert: "65"; in line 17, delete "7" and insert: "76"; in line 18, delete "8" and insert: "87"; and in line 19, delete "9" and insert: "98".

CORRECTION TO TITLE

On page 1, in line 5, following "EXAMINATION" insert: "AND TO REVISE PROVISIONS CONCERNING THE TERMS OF MEMBERS".

SENATE AMENDMENT TO S 1053

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 10, delete "(1)" and insert: "(4)"; in line 15, delete "2" and insert: "21"; in line 19, delete "3" and insert: "32"; in line 23, delete "4" and insert: "43"; and in line 31, delete "5" and insert: "54".

AMENDMENT TO SECTION 2

On page 1, in line 38, delete "(1)" and insert: "(4)".

On page 2, in line 3, delete "2" and insert: "21"; in line 7, delete "3" and insert: "32"; and in line 11, delete "4" and insert: "43".

SENATE AMENDMENT TO H 17

AMENDMENT TO SECTION 1

On page 3 of the printed bill, in line 5, delete "three (3) wheeled motorcycle on which the"; and delete lines 6 through 9, and insert: "motor vehicle designed to travel on not more than three (3) wheels in contact with the ground that has a steering wheel and seating that does not require the operator to straddle or sit astride.".

AMENDMENT TO SECTION 4

On page 5, in line 10, following "to" insert: "completely enclosed".

AMENDMENT TO SECTION 5

On page 5, delete lines 25 and 26.

AMENDMENT TO THE BILL

On page 5, following line 26, insert:

"SECTION 6. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

CORRECTION TO TITLE

On page 1, in line 6, following "FOR" insert: "COMPLETELY ENCLOSED"; also in line 6, delete "AND"; in line 9, delete "," and insert: "AND"; and delete lines 11 through 13, and insert: "OPERATING AUTOCYCLES; AND DECLARING AN EMERGENCY."

SENATE AMENDMENT TO S 1095

AMENDMENT TO SECTION 4

On page 8 of the printed bill, in line 40, delete "-eight"; and in line 41, delete "88" and insert: "80".

SENATE AMENDMENT TO S 1095

AMENDMENT TO THE BILL

On page 2 of the printed bill, delete lines 2 through 47; on page 3, delete lines 1 through 50; on page 4, delete lines 1 through 48; and renumber sections accordingly.

AMENDMENT TO SECTION 18

On page 29, delete lines 17 through 19, and insert:

"SECTION 17. Sections 1 through 5 and Sections 8 through 16 of this act shall be in full force and effect on and after July 1, 2016. Sections 6 and 7 of this act shall be in full force and effect on and after July 1, 2017."

CORRECTION TO TITLE

On page 1, in line 2, delete "AMENDING SECTION 9-340B, IDAHO"; and delete line 3.

SENATE AMENDMENT TO S 1096

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 26 through 31, and insert:

"(c) A process by which parents who object to any learning material or activity on the basis that it harms the child or impairs the parents' firmly held beliefs, values or principles, may withdraw their child from the activity, class or program in which the material is used."

SENATE AMENDMENT TO SENATE AMENDMENT TO H 15

AMENDMENT TO THE AMENDMENT

On page 1 of the printed amendment, delete lines 2 through 20.

On page 1 of the printed bill, delete lines 17 through 42; and on page 2, delete lines 1 through 19 and insert:

"SECTION 1. That Chapter 5, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-523A, Idaho Code, and to read as follows:

49-523A. TITLE STOP WHEN OWNERSHIP OF VEHICLE DISPUTED. (1) Whenever a party claims an interest in a vehicle subject to a title, the party may request a title stop be placed upon the title record of the vehicle.

(2) The request for title stop shall be provided to the department, together with documentation supporting the request and the fee required pursuant to the provisions of section 49-202(2)(i), Idaho Code.

(3) A verbal request to the department for a title stop may be placed on the title record for up to five (5) business days upon advising the requestor of the requirements and giving the requestor time to send the written request. Failure to send the written request shall terminate the request at the end of the five (5) business days.

(4) Upon receipt of the request for title stop, the department may place a stop on the title record of the subject vehicle if it appears from the documentation provided that there exists a reasonable dispute as to the ownership of the vehicle.

(5) Notwithstanding the placement of a stop or the filing of a stop request, the department shall process an application for title accompanied by a properly completed affidavit of repossession, or to record a lien or encumbrance, unless the requestor of the stop has provided the department with a court order restraining the issuance of title. In all other applications for title, the department shall place or maintain a stop and shall notify the title applicant that a stop is in place.

(6) Once the title stop is placed by the department, the requesting party shall provide evidence of a judicial filing relating to the subject vehicle within thirty (30) days of the title stop becoming effective. Failure to provide such evidence shall result in the department's cancellation of the title stop.

(a) Upon receipt of a written request for a title stop and the required fee, the department shall send notice of the title stop to the titled owners and any other party with recorded interest or lienholder recorded on the title records of the department.

(b) Upon receipt by the department of satisfactory evidence of a judicial filing, the title stop shall remain in place until a final order of the judicial proceeding is received, the requesting party has instructed the department to remove the stop, the requesting party has failed to respond to notice under paragraph (c) of this subsection or for one (1) year, unless renewed by the requestor, whichever comes first.

(c) Except as provided in subsection (5) of this section, if a person files evidence with the department that the person has acquired title to the vehicle for which a title stop has been placed, then the department shall send notice to the original requesting party providing ten (10) business days from the date notice was mailed to object to the release of the title stop. If the department does not receive timely response from the requesting party or if the requesting party instructs the department to remove the stop, then the title stop shall be immediately released.

(7) During the pendency of the title stop, no title applications for the vehicle to which the stop pertains shall be processed by the department except as otherwise provided in this section.

(8) Title stops requested by a governmental agency shall be exempt from the provisions of subsection (6) of this section. Such title stop shall be valid for two (2) years, unless renewed by the governmental agency requesting the stop. Governmental agencies shall be exempt from the fee required in section 49-202(2)(i), Idaho Code.

(9) The provisions of this section shall be effective for any title stop received on and after July 1, 2015."

CORRECTION TO TITLE

On page 1, delete lines 2 through 15, and insert:

"RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 5, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-523A, IDAHO CODE, TO PROVIDE FOR TITLE STOP REQUESTS WHEN OWNERSHIP OF A VEHICLE IS DISPUTED, TO PROVIDE A PROCEDURE, TO PROVIDE FOR A FEE, TO PROVIDE FOR VERBAL REQUESTS, TO AUTHORIZE THE IDAHO TRANSPORTATION DEPARTMENT TO PLACE A STOP ON THE TITLE RECORD OF A VEHICLE UNDER CERTAIN CONDITIONS, TO PROVIDE THAT THE DEPARTMENT SHALL PROCESS AN APPLICATION FOR A TITLE OR RECORD A LIEN OR ENCUMBRANCE EXCEPT UNDER CERTAIN CIRCUMSTANCES, TO REQUIRE THE REQUESTING PARTY TO PROVIDE CERTAIN EVIDENCE ONCE THE TITLE STOP IS PLACED BY THE DEPARTMENT, TO PROVIDE FOR CANCELLATION OF A TITLE STOP IN THE EVENT EVIDENCE IS NOT PROVIDED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE DURATION OF THE TITLE STOP, TO PROVIDE THAT A PERSON MAY FILE EVIDENCE THAT THE PERSON HAS ACQUIRED TITLE TO A VEHICLE FOR WHICH A TITLE STOP HAS BEEN PLACED, TO PROVIDE FOR NOTICE, TO PROVIDE FOR THE RELEASE OF A TITLE STOP UNDER CERTAIN CONDITIONS, TO PROVIDE THAT NO TITLE APPLICATIONS FOR THE VEHICLE SHALL BE PROCESSED DURING THE PENDENCY OF THE TITLE STOP, TO PROVIDE FOR TITLE STOPS REQUESTED BY GOVERNMENTAL AGENCIES AND TO PROVIDE FOR APPLICABILITY."

SENATE AMENDMENT TO H 142

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 41, following "city" insert: "with a population of one thousand five hundred (1,500) or more"; and in line 42, following "cities" insert: "with a population of one thousand five hundred (1,500) or more".

SENATE AMENDMENT TO S 1062

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 12 through 38; delete pages 2 and 3, and insert:

"SECTION 1. That Title 39, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 92, Title 39, Idaho Code, and to read as follows:

CHAPTER 92

IDAHO DIRECT PRIMARY CARE ACT

39-9201. SHORT TITLE. This chapter shall be known and may be cited as the "Idaho Direct Primary Care Act."

39-9202. PUBLIC POLICY. It is the policy of the state of Idaho to promote personal responsibility for health care and the cost-effective delivery of medical services by encouraging innovative use of direct patient-provider practices for primary medical care. Direct patient-provider practices utilize a model of periodic fees for provider access and medical management over time, rather than simply a fee for visit or procedure service model. Some patients and individual primary care providers may wish to establish direct agreements with one another as an alternative to traditional fee-for-service care financed through health insurance. The purpose of this act is to confirm that direct patient-provider agreements that satisfy the provisions of this chapter do not constitute insurance.

39-9203. DEFINITIONS. For purposes of this chapter, the following definitions apply:

(1) "Direct fee" means an agreed-upon fee charged by a primary care provider as consideration for providing and being available to provide direct primary care services described in a direct primary care agreement.

(2) "Direct primary care agreement" means a written contract between a primary care provider and an individual patient or a patient's representative in which the primary care provider agrees to provide direct primary care services to the patient over a specified period of time for payment of a direct fee.

(3) "Direct primary care services" means those services that a primary care provider is licensed or otherwise legally authorized to provide and may include, but are not limited to, such services as screening, assessment, diagnosis and treatment for the purpose of promoting health; detection, management and care of disease or injury; or routine preventive or diagnostic dental treatment. Such services may be provided in a primary care provider's office, the patient's home or other locations where a patient visit with the primary care provider needs to occur.

(4) "Patient" means a person who is entitled to receive direct primary care services under a direct care agreement.

(5) "Patient's representative" means a person identified in section 39-4504(1)(a) through (g), Idaho Code.

(6) "Primary care provider" means a natural person licensed or otherwise legally authorized to provide health care services in the state of Idaho in the field of pediatrics, family medicine, internal medicine or dentistry, who provides such

services either alone or in professional association with others in a form and within a scope permitted by such licensure or legal authorization for the provision of such services, and who enters into a direct primary care agreement.

39-9204. DIRECT PRIMARY CARE AGREEMENT PROVISIONS. (1) A direct primary care agreement shall identify:

- (a) The primary care provider and the patient;
- (b) The general scope of services as well as the specific services to be provided by the primary care provider;
- (c) The location or locations where services are to be provided;
- (d) The amount of the direct fee and the time interval at which it is to be paid; and
- (e) The term of the agreement and the conditions upon which it may be terminated by the primary care provider. The agreement shall be terminable at will by written notice from the patient to the primary care provider.

(2) If a party provides written notice of termination of the direct primary care agreement, the primary care provider shall refund to the patient all unearned direct fees within thirty (30) days following the notice of termination.

39-9205. INSURANCE BILLING PROHIBITED. Neither the patient nor the primary care provider shall submit a bill to an insurer for the services provided under a direct primary care agreement.

39-9206. AGREEMENTS NOT CLASSIFIED AS INSURANCE. Direct primary care agreements are not subject to regulation as insurance under title 41, Idaho Code.

39-9207. DISCLAIMER. A direct primary care agreement shall include the following disclaimer: "This agreement does not provide health insurance coverage, including the minimal essential coverage required by applicable federal law. It provides only the services described herein. It is recommended that health care insurance be obtained to cover medical services not provided for under this direct primary care agreement."

39-9208. RESTRICTIONS ON TRANSFER. A direct primary care agreement may not be sold or transferred by the primary care provider without the written consent of the patient and may be transferred only to another primary care provider. A direct primary care agreement may not be sold to a group, employer or group of subscribers because it is an individual agreement between a primary care provider and a patient. These limitations do not prohibit the presentation of marketing materials to groups of potential patients or their representatives but said marketing materials are subject to chapter 6, title 48, Idaho Code."

CORRECTION TO TITLE

On page 1, delete lines 2 through 10, and insert:
 "RELATING TO HEALTH CARE; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DECLARE PUBLIC POLICY AND TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS DO NOT CONSTITUTE INSURANCE, TO DEFINE TERMS, TO SPECIFY THAT DIRECT PRIMARY CARE AGREEMENTS INCLUDE CERTAIN

PROVISIONS, TO PROHIBIT DIRECT PRIMARY CARE PROVIDERS FROM BILLING INSURERS FOR DIRECT PRIMARY CARE, TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS SHALL NOT BE REGULATED AS INSURANCE, TO PROVIDE THAT DIRECT PRIMARY CARE AGREEMENTS INCLUDE A DISCLAIMER AND TO RESTRICT SALES OR TRANSFERS OF DIRECT PRIMARY CARE AGREEMENTS."

The Committee also has [S 1033](#) and [H 157](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1041](#), as amended, [S 1053](#), as amended, [S 1095](#), as amended, [S 1096](#), as amended, and [S 1062](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 17](#), as amended in the Senate, [H 15](#), as amended in the Senate, as amended in the Senate, and [H 142](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

The President announced that [HJM 8](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Brackett, seconded by Senator Den Hartog, [HJM 8](#) was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jerry Edgington was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Cameron disclosed a possible conflict of interest under applicable law.

On motion by Senator Martin, seconded by Senator Jordan, the Gubernatorial appointment of Jerry Edgington as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Candace Sweigart was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Keough, the Gubernatorial appointment of Candace Sweigart as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1108](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lacey, Lakey, Nonini, Nuxoll, Patrick, Siddoway, Souza, Vick, Winder. Total - 18.

NAYS—Buckner-Webb, Burgoyne, Cameron, Davis, Johnson, Jordan, Lee, Lodge, Martin, McKenzie, Mortimer, Rice, Schmidt, Stennett, Thayne, Tippetts, Ward-Engelking. Total - 17.

Total - 35.

Whereupon the President declared [S 1108](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1069](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate.

On request by Senator Davis, granted by unanimous consent, [S 1069](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

[S 1072](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Souza, Thayne, Vick, Ward-Engelking, Winder. Total - 24.

NAYS—Bair, Buckner-Webb, Cameron, Johnson, Lacey, McKenzie, Rice, Schmidt, Siddoway, Stennett, Tippetts. Total - 11.

Total - 35.

Whereupon the President declared [S 1072](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12 noon until the hour of 4:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senators Brackett, Davis, Heider, and Lodge, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 12, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1041](#), [S 1053](#), [H 17](#), [S 1095](#), [S 1096](#), [H 15](#), as amended in the Senate, [H 142](#), and [S 1062](#) have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 12, 2015

The JUDICIARY AND RULES Committee reports that [S 1041](#), as amended, [S 1053](#), as amended, [S 1095](#), as amended, [S 1096](#), as amended, and [S 1062](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1041](#), as amended, [S 1053](#), as amended, [S 1095](#), as amended, [S 1096](#), as amended, and [S 1062](#), as amended, were filed for first reading.

March 12, 2015

The AGRICULTURAL AFFAIRS Committee reports out [H 148](#), [HCR 14](#), and [HJM 6](#) with the recommendation that they do pass.

RICE, Chairman

[H 148](#) was filed for second reading.

[HCR 14](#) and [HJM 6](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

Senator Brackett was recorded present at this order of business.

March 12, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 59](#), [H 120](#), as amended, [H 143](#), and [HCR 6](#) with the recommendation that they do pass.

TIPPETS, Chairman

[H 59](#), [H 120](#), as amended, and [H 143](#) were filed for second reading.

[HCR 6](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 12, 2015

The TRANSPORTATION Committee reports out [H 194](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [H 194](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[H 17](#), as amended in the Senate, and [H 15](#), as amended in the Senate, as amended in the Senate, by Transportation and Defense Committee, were read the first time at length and filed for second reading.

[H 142](#), as amended in the Senate, by Local Government Committee, was read the first time at length and filed for second reading.

Senators Lodge and Davis were recorded present at this order of business.

[S 1041](#), as amended, [S 1053](#), as amended, and [S 1095](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1096](#), as amended, by Education Committee, was read the first time at length and filed for second reading.

[S 1062](#), as amended, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Winder, granted by unanimous consent, [S 1062](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 72](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Heider. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 72](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Siddoway, granted by unanimous consent, [H 94](#) retained its place on the Third Reading Calendar for Wednesday, March 18, 2015.

President Little assumed the Chair.

Senator Heider was recorded present at this order of business.

[H 108](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Tippets arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 108](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Patrick, granted by unanimous consent, [H 114](#) retained its place on the Third Reading Calendar for one legislative day.

[H 147](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 147](#) passed, title was approved, and the bill ordered returned to the House.

[H 177](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, Patrick, Schmidt, Stennett, Thayn, Tippets, Ward-Engelking, Winder. Total - 23.

NAYS—Bair, Bayer, Guthrie, Hill, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Vick. Total - 12.

Total - 35.

Whereupon the President declared [H 177](#) passed, title was approved, and the bill ordered returned to the House.

[H 206](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 206](#) passed, title was approved, and the bill ordered returned to the House.

[H 207](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 207](#) passed, title was approved, and the bill ordered returned to the House.

[H 39](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Heider, Johnson, Jordan, Keough, Lacey, Lakey, Lodge, Martin, Nonini, Nuxoll, Patrick, Souza, Thayne, Tippetts, Vick. Total - 21.

NAYS—Bair, Brackett, Cameron, Davis, Hill, Lee, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Stennett, Ward-Engelking, Winder. Total - 14.

Total - 35.

Whereupon the President declared [H 39](#) passed, title was approved, and the bill ordered returned to the House.

[H 75](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Tippetts disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bayer, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Johnson, Jordan, Keough, Martin, Nonini, Nuxoll, Patrick, Souza, Stennett, Tippetts, Vick, Ward-Engelking. Total - 18.

NAYS—Bair, Brackett, Cameron, Davis, Heider, Hill, Lacey, Lakey, Lee, Lodge, McKenzie, Mortimer, Rice, Schmidt, Siddoway, Thayne, Winder. Total - 17.

Total - 35.

Whereupon the President declared [H 75](#) passed, title was approved, and the bill ordered returned to the House.

[H 47](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Heider, Hill, Johnson, Jordan, Lacey, Lee, Lodge, Martin, McKenzie, Nuxoll, Patrick, Schmidt, Stennett, Thayne, Tippetts, Vick, Ward-Engelking. Total - 24.

NAYS—Cameron, Guthrie, Hagedorn, Keough, Lakey, Mortimer, Nonini, Rice, Siddoway, Souza, Winder. Total - 11.

Total - 35.

Whereupon the President declared [H 47](#) passed, title was approved, and the bill ordered returned to the House.

[H 124](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—Burgoyne, Jordan, Stennett. Total - 3.

Total - 35.

Whereupon the President declared [H 124](#) passed, title was approved, and the bill ordered returned to the House.

[H 125](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—Burgoyne. Total - 1.

Total - 35.

Whereupon the President declared [H 125](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Lakey, granted by unanimous consent, [H 161](#) retained its place on the Third Reading Calendar for one legislative day.

[H 61](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Souza arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 61](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6:05 p.m. until the hour of 9:30 a.m., Friday, March 13, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary